

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**
Alexandria Division

In re:

SCOTT E. WALTON,

Debtor.

Case No.07-12941-RGM
(Chapter 7)

MEMORANDUM OPINION

THIS CASE is before the court on the debtor's motion to reopen his case so that he may file his Certificate of Completion of Instructional Court Concerning Personal Financial Management.

This case was filed on October 12, 2007. The trustee filed a Report of No Distribution on November 30, 2007. The case was closed on February 26, 2008, without a discharge because the debtor failed to file a certificate that he had completed his debtor education course. On March 3, 2008, the debtor moved to reopen his case. The motion to reopen gives no reason why the debtor failed to complete his debtor education course.

The court exercises its discretion in reopening cases to permit debtors to file a certificate of completion of the debtor education course and thereby obtain a discharge. In this instance, no reason was given for the debtor's failure to comply with the requirement of the Bankruptcy Code. The court notes that the clerk gave the debtor express notice of the requirement on October 17, 2007, and of the deadline of January 7, 2008; the extended period of time between the clerk's notice and the date the case was closed; and that the debtor education was not completed until after the case was closed. The exercise of discretion requires facts upon which a decision may be reasonably made. Without a satisfactory explanation, the court is, in effect, abrogating the deadline.

The court notes that the dismissal of the case is without prejudice.

Alexandria, Virginia
March 19, 2008.

/s/ Robert G. Mayer
Robert G. Mayer
United States Bankruptcy Judge

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